

JUL 15 2005

JOHN F. CORCORAN, CLERK  
BY: *H. McDonald*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

UNITED STATES OF AMERICA

V.

ALLEN NEAL DODSON

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4:04CR70040  
Criminal No. ~~7:04CR0040~~

**ORDER OF FORFEITURE AS TO INTEREST OF  
ALLEN NEAL DODSON**

WHEREAS pursuant to the Indictment filed herein, the United States sought forfeiture of any and all interest Defendant Dodson has in certain firearms and ammunition seized during the course of the defendant's case, and since said items were possessed in violation of 18 U.S.C. §§ 922(g);

AND WHEREAS Defendant pled guilty to Count One of the Indictment, the criminal violations giving rise to the forfeiture, a violation of 18 U.S.C. §§ 922(g) felon in possession of firearms.

**WHEREFORE IT IS HEREBY ORDERED** pursuant to rule 32.2 of the Federal Rules of Criminal Procedure and 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) that:

1. Based upon the guilty plea of Defendant Dodson to a violation of 18 U.S.C. §§ 922(g) and the evidence of record, the Court finds that the interest of Defendant Dodson as set forth in Provision 10 of his plea agreement (Exhibit 1) is hereby forfeited to the United States.

And further, all right, title and interest in the aforementioned property vests in the United States pursuant to 41 C.F.R. § 128-48-102.1:

All right, title and interest in these firearms and ammunition, and any and all interest therefrom, is vested in the United States of America. No right, title or interest shall exist in Defendant Dodson. The United States is hereby authorized to seize the property pursuant to Fed.

R. Crim. P. Rule 32.2 for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n).

2. The United States and/or its designee shall take and maintain custody of the forfeited property and shall use its discretion and whatever means appropriate to protect and maintain said forfeited property pending disposal.

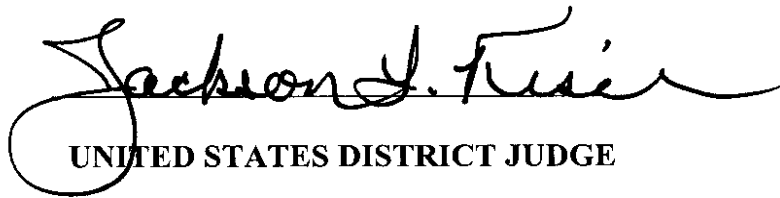
3. Pursuant to 21 U.S.C. § 853(n) shall publish once a week in a newspaper of general circulation in the locality of Defendant Dodson, notice of this Order, notice of the United States intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier, and shall file the original petition with the U.S. District Court Clerk's Office, Roanoke Division, P.O. Box 1234, Roanoke, VA 24006, and shall certify a copy of said petition to the U.S. Attorney's Office, Asset Forfeiture Section, P.O. Box 1709, Roanoke, VA 24008. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought.

4. To the extent practicable, the United States shall provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

5. Upon entry, this Order is final as to defendant and shall be made a part of the sentence and included in the judgment.

6. The Clerk of Court shall certify three copies of this Order to the United States Attorney's Office, Asset Forfeiture Section, P.O. Box 1709, Roanoke, Virginia 24008, and shall certify copies to counsel of record and the probation office.

ENTERED THIS 15<sup>th</sup> DAY OF July, 2005.

  
UNITED STATES DISTRICT JUDGE